



Crl.O.P.No.5983 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) & 20(b)(ii)(C) of NDPS Act, in Crime No.487 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found to be in possession of 45 kgs of ganja. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession of A1 and A2. He would further submit that the petitioner is no way connected with A1 and A2 and this is the second anticipatory bail application and after the dismissal of the earlier application,



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the petitioners A1 & A2 who have been arrested were enlarged on bail.

Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners A1 & A2 who were arrested was found to be in possession of 2 kgs of ganja and on the confession of A1, the respondent conducted house search of the petitioner and from the house of the petitioner 41.5 kgs of ganja, which is the commercial quantity, has been recovered. He further submit that the petitioner is the person who was in the occupation of the premises and he further submit that this Court findings that the petitioner was in conscious possession of commercial quantity of ganja and this Court had earlier dismissed the anticipatory bail in Crl.OP.No.14264 of 2022 on 21.06.2022. He further submit that the petitioners A1 & A2 have been arrested with 2 kgs of ganja were enlarged on bail and that cannot be taken as the change of circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5.Heard the learned counsel on either sides and perused the entire materials available on record.

6.Taking into consideration the facts and circumstances of the case and also the findings that the petitioner was in conscious possession of commercial quantity of ganja and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

27.03.2023

drl



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